

#3708

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas L. McLaughlin et al.
Serial No.: 10/056,403
Filing Date: January 24, 2002
Title: TOPCOATED ADHESIVE
Docket No.: 26651US10

RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NON-PROVISIONAL APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: BOX MISSING PARTS

Sir:

In response to the March 5, 2002 Notice (copy enclosed), applicants herewith submit a copy of the signed and dated Declaration in accordance with 37 CFR 1.63(d), and a check in the amount of \$130.00 to cover the surcharge fee set forth in 37 CFR 1.16(e).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on the date indicated below.

Joseph J. Corso

Name of Attorney for Applicant(s)

3/28/2002

Date

Signature of Attorney

It is noted that this application is a divisional application of U.S. Serial No. 08/341,464 and the enclosed Declaration is a copy of the Declaration filed in the '464 application.

The Notice also states that Figure 9 described in the specification was omitted from the application. It is noted that the figure does, in fact, appear at the bottom of sheet 2/4 of the original filed application papers, however, the figure number (i.e. "FIG. 9") was not indicated. Therefore, we are enclosing herewith a corrected page 2/4 of the drawings in which the figure number has been included. For completeness, a complete copy of the drawings are submitted herewith, comprising FIGS. 1 - 17.

If there are any further fees required by this communication not covered by the enclosed check, or if no check is enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 26651US10.

Respectfully submitted,

By 
Joseph J. Corso, Reg. No. 25845

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March 28, 2002



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/056,403	01/24/2002	Thomas L. McLaughlin	26651US10

000116
PEARNE & GORDON LLP
526 SUPERIOR AVENUE EAST
SUITE 1200
CLEVELAND, OH 44114-1484



CONFIRMATION NO. 3309

FORMALITIES LETTER



OC000000007576153

Date Mailed: 03/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.**

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The following item(s) appear to have been **omitted** from the application:

01 FC:105

130.00 OP

- Figure(s) 9 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

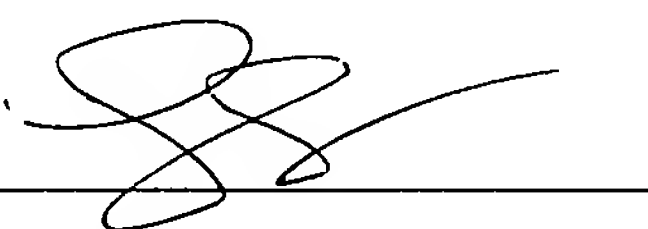
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE